




it renders the original complaint ‘of no effect.’”); Colin v. Marconi Commerce Systems Employees’ Retirement Plan, 335 F.Supp.2d 590, 614 (M.D.N.C. 2004) (“Earlier motions made by Defendants were filed prior to and have been rendered moot by Plaintiffs’ filing of the Second Amended Complaint.”).

**IT IS THEREFORE ORDERED** that Plaintiff’s Motion to Stay, (Doc. No. 21), is GRANTED and this case is STAYED pending either resolution or impasse through PSAP.

**IT IS FURTHER ORDERED** that Defendant’s Motion to Dismiss, (Doc. No. 12), is DENIED as MOOT.

**IT IS SO ORDERED.**

Signed: November 14, 2024

  
Frank D. Whitney  
United States District Judge

